

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL ACTION NO. 1:02CV113

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	ENTRY OF JUDGMENT BY DEFAULT,
v.)	ENTRY OF JUDGMENT, AND
)	FINAL ORDER OF FORFEITURE
16.99 ACRES, MORE OR LESS, . . .)	
<i>ET AL</i>)	
Defendants.)	
_____)	

THIS MATTER is before the Court on the United States' Motion for an Order directing Judgment by Default pursuant to Federal Rule of Civil Procedure 55(b)(2), and for Entry of Judgment and Final Order of Forfeiture pursuant to Federal Rule of Civil Procedure 58(a)(2)(A)(iii) against the defendant property.

On March 20, 2006, an Order for Entry of Default was filed. As a result, this motion will be allowed.

IT IS, THEREFORE, ORDERED that the United States' motion is **ALLOWED**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED THAT:

1. The United States' motion for judgment by default, entry of judgment, and final order of forfeiture against the **DEFENDANT PROPERTY:**

(I). United States currency in the amount of \$599,467.70, with accumulated interest since the deposit of the currency in an interest-bearing account by the United States Marshal's Service, which amount of currency is currently in the possession of the United States Marshal's Service as part of a previously filed settlement in this case.

(II). Sixteen tracts of real property:

(1). Real property located on Smith Cove Road, Buncombe County, North Carolina, containing approximately 16.99 acres, lying and being in Upper Hominy Township, and more particularly described in a deed recorded at Deed Book 1775 Page 177, Buncombe County, N.C. Register of Deeds;

(2). Real property located on Smith Cove Road, Buncombe County, North Carolina, containing approximately 28.46 acres, lying and being in Upper Hominy, and more particularly described in a deed recorded at Deed Book 2015 Page 427, Buncombe County, N.C. Register of Deeds;

(3). Real property located Off Dave Whitaker Road, Henderson County, North Carolina, containing approximately 19.44 acres lying and being in Mills River Township, and more particularly described in a deed recorded at Deed Book 966 Page 221, Henderson County, N.C. Register of Deeds;

(4). Real property, #4, #6, J D Hooper Estate, Henderson County, North Carolina, containing approximately 32.44 acres lying and being in Mills River Township, and more particularly described in a deed recorded at Deed Book 970 Page 613, Henderson County, N.C. Register of Deeds.

(5). Real property located off Glady Fork Road, Buncombe County, North Carolina, containing unknown acreage lying and being in Buncombe County, and more particularly described in a deed recorded at Deed Book 2068 Page 580, Buncombe County, N.C. Register of Deeds;

(6). Real property located on Black Oak Cove Road, Buncombe County, North Carolina, containing approximately 36.54 acres lying and being in Upper Hominy Township, and more particularly described in a deed recorded at Deed Book 2068 Page 583, Buncombe County, N.C. Register of Deeds;

(7). Real property located at 1396 Kilgore Bridge Road, Spartanburg County, South Carolina, containing approximately 113.96 acres lying and being in the old Casey Pearson School District, and more particularly described in a deed recorded at Deed Book 069E Page 779, Spartanburg County, S.C. Public Registry;

(8). Real property located SR1353 Off Hooper Lane Road, Henderson County, North Carolina, containing approximately 1.86 acres lying and being in Mills River Township, and more particularly described in a deed recorded at Deed Book 982 Page 041, Henderson County, N.C. Register of Deeds;

(9). Real property located at Tract A and Lot 2, J D Hooper Estate, Henderson County, North Carolina, containing approximately 16.10 acres, and more particularly described in a deed recorded at Deed Book 982 Page 796, Henderson County, N.C. Register of Deeds;

(10). Real property located at 112 Smith Cove Road, Buncombe County, North Carolina, containing approximately 1.00 acres lying and being in Upper Hominy Township, and more particularly described in a deed recorded at Deed Book 2087 Page 515, Buncombe County, N.C. Register of Deeds;

(11). Real property located on Lower Beaverdam Loop Road, Buncombe County, North Carolina, containing approximately 2.53 acres lying and being in Buncombe County, and more particularly described in a deed recorded at Deed Book 2184 Page 893, Buncombe County, N.C. Register of Deeds;

(12). Real property located off Dave Whitaker Road, Henderson County, North Carolina, containing approximately 1.35 acres lying and being in Henderson County, and more particularly described in a deed recorded at Deed Book 1021 Page 227, Henderson County, N.C. Register of Deeds;

(13). Real property located at 46 Billy Cove Road, Buncombe County, North Carolina, containing approximately 1.13 acres lying and being in Upper Hominy, and more particularly described in a deed recorded at Deed Book 2330 Page 820, Buncombe County, N.C. Register of Deeds;

(14). Real property located on Beaverdam Loop Road, Buncombe County, North Carolina, containing approximately 4.30 acres lying and being in Upper Hominy Township, and more particularly described in a deed recorded at Deed Book 2386 Page 388, Buncombe County, N.C. Register of Deeds;

(15). Real property located in Spartanburg County, South Carolina, containing approximately 5.0 acres lying and being in Spartanburg County, and more particularly described in a deed recorded at Deed Book 073 Page 962, Spartanburg County, S.C. Public Registry.

(16). Real property, that is, 26.42 acres, more or less, off of Beaverdam Loop Road, Buncombe County, North Carolina, more particularly described at Deed Book 1144 Page 0079, of the Registry of Deeds, Buncombe County, North Carolina.

is hereby granted and judgment of forfeiture is entered in favor of the United States against all persons and entities in the world;

2. Any and all right, title and interest of all persons in the world in or to the defendant property is hereby forfeited to the United States, and no other right, title, or interest shall exist therein;

3. The United States Marshal is hereby directed to dispose of the forfeited defendant property as provided by law.

Signed: March 31, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

